



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

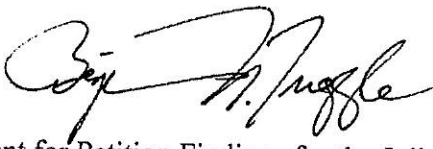
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OCT 10 2006

### Memorandum

To: Director

From: Regional Director, Region 2 

Subject: Proposed Settlement Agreement for Petition Findings for the Jollyville Salamander and the San Felipe Gambusia (Save Our Springs v. FWS, No. A06CA630 SS (W. D. Tex.))


On August 10, 2006, plaintiff filed a complaint for our failure to make a 90-day and 12-month finding on their petitions to list the Jollyville salamander (*Eurycea tonkawae*) and the San Felipe gambusia (*Gambusia clarkhubbsi*). We have been unable to make findings on plaintiff's June 10, 2005, petitions due to workload and budgetary constraints.

We recommend settlement and request that the Department of Justice, on behalf of the Service, present the following terms to plaintiff and the court:

- Submit the 90-day findings to the Federal Register by February 6, 2007.
- If the 90-day finding is positive, submit the 12-month finding for the Jollyville salamander to the Federal Register by December 1, 2007.
- If the 90-day finding is positive, submit the 12-month finding for the San Felipe gambusia to the Federal Register by February 6, 2008.

We request your concurrence to pursue this settlement agreement with the plaintiff. If you have any questions, please contact Allan Strand, Acting Assistant Regional Director for Ecological Services at 505-248-6671.

☒ Concur ☐ Do Not Concur

  
\_\_\_\_\_  
Director

10/21/06  
Date